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and Kmart Corp.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION**

Master File No. 07-5944 SC

MDL No. 1917

This Document Relates to:

ALL DIRECT ACTION PURCHASER ACTIONS

*Siegel v. Hitachi, Ltd.*, No. 11-cv-05502;

*Best Buy Co., Inc. v. Hitachi, Ltd.*, No. 11-cv-05513;

*Target Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 11-cv-05514;

*Sears, Roebuck and Co., & Kmart Corp. v. Chunghwa Picture Tubes, Ltd., et al.*, No. 11-cv-05514-SC;

*Sharp Elecs. Corp. v. Hitachi, Ltd.*, No. 13-cv-01173;

*Sharp Elecs. Corp. v. Koninklijke Philips Elecs. N.V.*, No. 13-cv-02776

*Siegel v. Technicolor SA, et al.*, No. 13-cv-05261;

*Best Buy Co., Inc., et al. v. Technicolor SA, et al.*, No. 13-cv-05264;

**DECLARATION OF SAMUEL J.  
RANDALL IN SUPPORT OF  
DIRECT ACTION PLAINTIFFS'  
ADMINISTRATIVE MOTION TO  
FILE DOCUMENTS UNDER SEAL  
PURSUANT TO CIVIL LOCAL  
RULES 79-5(e) AND 7-11**

The Honorable Samuel Conti

*Sears, Roebuck and Co. and Kmart Corp. v. Technicolor SA*, No. 3:13-cv-05262;  
*Target Corp. v. Technicolor SA, et al.*, No. 13-cv-05686;  
*Viewsonic Corp. v. Chunghwa Picture Tubes, Ltd.*, No. 14-cv-02510

1. I am a member in good standing of the State of Florida.

2. Except for those matters stated on information and belief, which I believe to be true, I have personal knowledge of the facts recited in this declaration and, if called upon to do so, I would competently testify under oath thereto.

3. I am an attorney at the law of Kenny Nachwalter, P.A., counsel for Plaintiffs Sears, Roebuck and Co. and Kmart Corp. in the above-captioned action. I submit this declaration pursuant to L.R. 79-5 in support of Direct Action Plaintiffs' Administrative Motion to File Documents Under Seal. The statements made herein are based on my personal knowledge.

Through this Motion, Plaintiffs seek permission to file under seal the following documents or portions thereof that contain information that has been designated confidential or highly confidential ("Designated Documents"):

- Portions of Direct Action Plaintiffs' Response in Opposition to Samsung SDI's Motion in *Limine* to Exclude Portions of Plaintiffs' Trial Exhibit, Bates Stamped TSA-CRT00077732; and
- Exhibit 1 to the Declaration of Samuel Randall in Support of Direct Action Plaintiffs' Response in Opposition to Samsung SDI's Motion in *Limine* to Exclude Portions of Plaintiffs' Trial Exhibit, Bates Stamped TSA-CRT00077732.

4. The Designated Documents contain excerpts from and/or statements derived from documents and testimony which have been designated "confidential" or "highly confidential" pursuant to the Stipulated Protective Order governing the *CRT Antitrust MDL*, which was entered

1 by Judge Samuel Conti on June 18, 2008 (Dkt. 306). The confidential/highly confidential  
2 designations were made by certain defendants in the *CRT Antitrust MDL*. To qualify as  
3 confidential or highly confidential under the Stipulated Protective Order, the information must  
4 contain trade secrets or other confidential research, development or commercial information or  
5 private or competitively sensitive information (§1).

7 5. The Stipulated Protective Order requires that a party may not file any confidential  
8 material in the public record (§10). The Stipulated Protective Order further provides that any  
9 party seeking to file any confidential material under seal must comply with Civil Local Rule 79-5  
10 (§§ 1, 10).

12 6. The Designated Documents contain such confidential material and, pursuant to  
13 Local Rule 79-5(e), Plaintiffs seek to submit the above material under seal in good faith in order  
14 to comply with the Protective Order in the *CRT Antitrust MDL* and the applicable Local Rules.

16 I declare under penalty of perjury under the laws of the United States and the State of  
17 Florida that the foregoing is true and correct.

18 Executed on this 27th day of February 2015, at Miami, Florida.

19 /s/ Samuel J. Randall  
20 Samuel J. Randall  
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**CERTIFICATE OF SERVICE**

On February 27, 2015, I caused a copy of the foregoing document to be electronically filed via the Court's Electronic Case Filing System, which constitutes service in this action pursuant to the Court's order of September 29, 2008.

By: /s/ Samuel J. Randall  
Samuel J. Randall